

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

| | | |
|------------------------|---|-------------------------------------|
| DERECK BOTTOMS, |) | |
| |) | |
| Plaintiff, |) | Case No.: 4:16-cv-00030 |
| |) | |
| v. |) | <u>ORDER</u> |
| |) | |
| COMMISSIONER OF SOCIAL |) | By: Hon. Jackson L. Kiser |
| SECURITY, |) | Senior United States District Judge |
| |) | |
| Defendant. |) | |

Before me is the *Report and Recommendation* of the United States Magistrate Judge recommending that I enter an Order granting Plaintiff's Motion for Summary Judgment/Motion to Remand [ECF No. 13], denying the Commissioner's Motion for Summary Judgment [ECF No. 17], and remanding this case. This *Report* was filed on August 23, 2017, from which date the parties had fourteen (14) days to file objections. No objections were filed. Accordingly, it is **ORDERED** and **ADJUDGED** that the *Report and Recommendation* shall be, and hereby is, **ADOPTED** in its entirety. Plaintiff's Motion for Summary Judgment/Motion to Remand is **GRANTED**, the Commissioner's Motion is **DENIED**, the final decision of the Commissioner is **REVERSED**, and this case is hereby **REMANDED** to the Commissioner for further proceedings consistent with Magistrate Judge Hoppe's *Report*. The Clerk is directed to dismiss this case from the active docket of this Court.

The Clerk is directed to send a copy of this Order to Magistrate Judge Hoppe and all counsel of record.

ENTERED this 13th day of September, 2017.

s/Jackson L. Kiser

SENIOR UNITED STATES DISTRICT JUDGE